IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE G. BIKSHAPATHY
and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 10100 of 2004

Between:
U. Giridhar S/o Naganna
Havannapet, U.P. School, Adoni, Kurnool District
..... PETITIONER

AND

1 The Commissioner, Adoni Municipality, Adoni, Kurnool District
2 The Commissioner & Director of School Education, A.P., Hyderabad
3 The Commissioner & Director of Municipal Administration, A.P., Hyderabad
4 The Govt. of A.P., rep by Secretary, Education Department, Secretariat,
Hyderabad
5 The Governmetn of A.P., rep by Secrtary, Municipal Administration & Urban Development
Department, Secrtariat, Hydereabad
.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more in the nature of Certiorari calling for the records relating to the impugned Memo. No. 13411/G2/98-2, MA, dated 22-9-1998 and the Judgment of the Administrative Tribunal in O.A. No. 8784 of 1998, dated 11-2-2004 and the connected orders if any and set-aside the same and declare that the petitioner is entitled for regular absorption as Hindi Pandit Grade-Ii in Adoni Municipality on the analgogy of order issued in G.O.Rt. No. 465, Edn., dt 15-3-1997 with all consequential benefits

For the Petitioner : MR.D.BALA KISHAN RAO, Advocate

For the Respondent No.: GP FOR SERVICES I

The Court Made the Following :

THE HON'BLE MR. JUSTICE G. BIKSHAPATHY
AND
THE HON'BLE MR. JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO. 10100 OF 2004

ORAL ORDER : (per G.B., J.,)

This Writ Petition is filed challenging the order passed by the A.P. Administrative Tribunal, Hyderabad, in O.A.No.8784 of 1998, dated 11-02-2004, seeking regularization of services in pursuance of G.O. issued by the Government in G.O.Ms.No.465, dated 15-03-1997.

2. The petitioner made an application for regularization of services and the same was recommended by the original authority to the Commissioner. However, the Commissioner of Municipal Administration rejected the case of the petitioner by an order dated 3-10-1997. There after he filed review before the Government on 26-10-1997 and the Government also rejected the case in Memo No.13411/G2/98-2, dated 22-09-1998. Against the said order, the petitioner filed O.A.No.8784 of 1998. The learned Tribunal after considering the matter dismissed the O.A.No.8784 of 1998 on the ground that he is not entitled for any relief. Against the said order, the present Writ Petition has been filed.

3. The learned counsel for the petitioner submits that when the Government have directed the regularization of services of 18

number of part-time Hindi Pandits vide order dated 15-03-1997, the same relief could have been ordered by the Tribunal to the petitioner also. Therefore, the order is illegal and contrary to law.

4. We are afraid, we cannot accept the contention of the learned counsel for the petitioner.

5. Inasmuch as G.O.Ms.No.465, dated 15-03-1997 is concerned, it was observed by the Government with regard to the fact that they had put in service as part time Hindi Teachers between 10 to 15 years and they are now age barred for their regular appointment.

6. Under those specific circumstances, the direction was issued by the Government to absorb them on regular basis. But the petitioner herein do not fall within the parameters and the Government has not issued any specific order with regard to the absorption of the petitioner. It is also not in dispute that the petitioner did not fall within the over age group and he is very young about 35 years. Under those circumstances, the order of the Tribunal cannot be said to be illegal or contrary to law.

7. Accordingly, the Writ Petition is dismissed. No costs.

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G.BIKSHAPATHY,J

22nd June, 2004.

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B.SESHASAYANA REDDY,J

Kvr

Copy to:

1 The Commissioner, Adoni Municipality, Adoni, Kurnool District
2 The Commissioner & Director of School Education, A.P., Hyderabad
3 The Commissioner & Director of Municipal Administration, A.P., Hyderabad
4 The Govt. of A.P., rep by Secretary, Education Department, Secretariat,
Hyderabad
5 The Governmetn of A.P., rep by Secrtary, Municipal Administration & Urban Development
Department, Secrtariat, Hydereabad.
6. Two C.Cs to the Government Pleader for Services – I, High Court buildings, High Court of A.P., Hyderabad.
7. Two C.D. Copies.